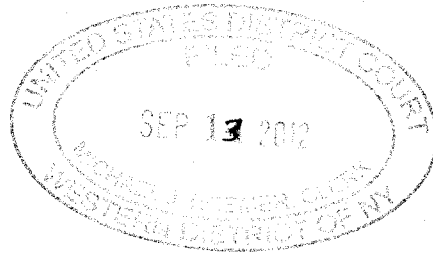


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



-PS-O-

DANA GIBSON,

Plaintiff,

-v-

CRAIG E. YACKEREN, KEITH M. KARNOFSKY,
and C. ROBINSON,

Defendants.

11-CV-0294S
ORDER

The Court, upon review of plaintiff's First Amended Complaint, *inter alia*, granted plaintiff permission to proceed *in forma pauperis*, dismissed some of plaintiff's claims against certain defendants, directed plaintiff to file a Second Amended Complaint in order to allege an actionable Eighth Amendment claim against defendant C.O. Yackeren and directed that the claims against defendants Karnofsky and Robinson would proceed to service upon the filing of the Second Amended Complaint and review of such pursuant to 28 U.S.C. § § 1915(2)(B) and 1915A. (Docket No. 10.)

Plaintiff has filed a Second Amended Complaint (Docket No. 11) as directed and it has been reviewed by the Court with respect to the 28 U.S.C. § § 1915(e)(2) and 1915A criteria.

The Clerk of the Court is directed to file's papers, and to cause the United States Marshal to serve copies of the Summons, Second Amended Complaint, this Order and the Order, filed January 5, 2012 (Docket No. 10), upon the named defendants--Craig E. Yackeren, Keith M. Karnofsky and C. Robinson-- without's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in's favor.

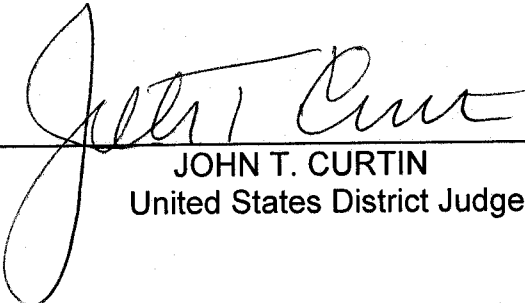
unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the Second Amended Complaint.

SO ORDERED.

DATED:

9/13, 2012
Buffalo, New York



JOHN T. CURTIN
United States District Judge